

CIVIL SERVICE COMMISSION MINUTES
JUNE 4, 2008

A regular meeting of the Civil Service Commission was held at 2:30 p.m., in Room 358 of the County Administration Center, 1600 Pacific Highway, San Diego, California.

Present were:

W. Dale Bailey
A.Y. Casillas
Barry I. Newman
Francesca Krauel

Absent was:

None

Comprising a quorum of the Commission

Support Staff Present:

Patt Zamary, Executive Officer
William D. Smith, Senior Deputy County Counsel

Selinda Hurtado-Miller, Reporting

Approved
Civil Service Commission
July 2, 2008

COUNTY OF SAN DIEGO
CIVIL SERVICE COMMISSION MINUTES
JUNE 4, 2008

2:00 p.m. CLOSED SESSION: Discussion of Personnel Matters
 and Pending Litigation

2:30 p.m. OPEN SESSION: Room 358, 1600 Pacific Highway, San
 Diego, California

<u>Discussion Items</u>	<u>Continued</u>	<u>Referred</u>	<u>Withdrawn</u>
2, 3			

COMMENTS: Motion by Newman to approve all items not held for
discussion; seconded by Casillas. Carried.

CLOSED SESSION AGENDA
County Administration Center, Room 400B
(Notice pursuant to Government Code Sec. 54954.2)
Members of the public may be present at this
location to hear the announcement of the
closed session agenda.

A. Commissioner Bailey: CONSIDERATION OF PUBLIC
EMPLOYEE DISCIPLINE (GOV. CODE SEC. 54957(b)) Donovan
Jacobs, Esq. on behalf of **Steven Spoelstra (2008-01)**,
appealing an Order of Termination and Charges from the
Sheriff's Department.

B. Commissioner Newman: CONSIDERATION OF PUBLIC
EMPLOYEE DISCIPLINE (GOV. CODE SEC. 54957(b)) **Tracy**
Martin, former Human Service Specialist, appealing a
Final Order to Remove from the Health and Human
Services Agency.

OPEN SESSION AGENDA
County Administration Center, Room 358

MINUTES

1. Approval of the Minutes of the regular meeting of May 7,
2008.

Approved.

DISCIPLINE

Findings

2. Commissioner Bailey: Donovan Jacobs, Esq. on behalf of **Steven Spoelstra (2008-01)**, appealing an Order of Termination and Charges from the Sheriff's Department.

FINDINGS AND RECOMMENDATIONS:

Employee was a Deputy Sheriff - Patrol. Evidence at the Hearing established that Employee falsified two reports to support a public drunkenness arrest. In mitigation, Employee had no prior discipline, had several years of overall performance rated as "exceeds expectations," and was known to volunteer for community service. Additionally, the evidence established that the arrest was necessary for public safety. On the other hand, Employee's misconduct caused considerable disruption, confusion, and consumption of Department resources. It also violated the public trust, which is one of the most important requirements of law enforcement. Therefore, it is recommended that the Order of Termination be affirmed; and that the proposed decision shall become effective upon the date of approval by the Civil Service Commission.

Motion by Bailey to approve Findings and Recommendations; seconded by Newman. Carried.

3. Commissioner Newman: **Tracy Martin**, former Human Service Specialist, appealing a Final Order to Remove from the Health and Human Services Agency.

FINDINGS AND RECOMMENDATIONS:

The matter of the appeal of Tracy Martin, from a written Final Order to Remove her from her class and position of Human Services Specialist (Class No. 5223) in the Health and Human Services Agency, was presented to the Civil Service Commission. The Commission appointed Francesca Krauel, one of its members, to hear the appeal and submit findings, conclusions and a proposed decision to the Civil Service Commission. Subsequently, due to a scheduling conflict, this matter was reassigned to Commissioner Barry I. Newman. Thereafter, the matter was duly noticed and came on for hearing on May 14, 2008. The Appellant did not appear for the hearing in person or through a designated representative. It is therefore recommended that the Commission determine that the Appellant has abandoned her appeal; that the Final Order to Remove be affirmed; and

that the proposed decision shall become effective upon the date of approval by the Civil Service Commission.

Motion by Newman to approve Findings and Recommendations; seconded by Casillas. Carried.

SELECTION PROCESS

Findings

4. **Eric Farwell**, appealing the Department of Human Resources' removal of his name from the employment list for District Attorney Investigator.

RECOMMENDATION: Ratify. Appellant has been successful in the appellate process provided by Civil Service Rule 4.2.2.

Item No. 4 ratified.

Extension of Temporary Appointments

5. Health and Human Services Agency

2 Residential Care Workers II (Helen Dajero, Sheila Macres)

2 Residential Care Worker Trainees (Christopher Amezuca, Akia Jones)

6. San Diego County Employees Retirement Association

3 Retirement Member Services Senior Specialists (Allan Cochran, Sergio Garcia, Veronica Johnson)

7. Department of Child Support Services

7 Account Clerks (Valerie Ajero, Gabriela Aguilar, Lucia Cardona, Cristina Duroiu, Patricia Gomez, David Pool, Daisy Salvador)

8. Department of Public Works

1 Project Manager, Public Works (Sara Agahi)

RECOMMENDATION: Ratify Item Nos. 5-8.

Item Nos. 5-8 ratified.

9. Public Input.

ADJOURNED: 2:45 p.m.

NEXT REGULAR MEETING OF THE CIVIL SERVICE COMMISSION:

JULY 2, 2008